**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF RHODE ISLAND**

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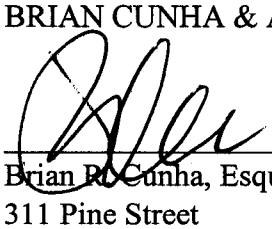
| **GEORGE GUINDON er al.,** | : | |
| | : | |
| **Plaintiffs** | : | |
| | : | |
| **VS.** | : | **C.A. NO.: 03-335-L** |
| | : | |
| **AMERICAN FOAM CORPORATION et al.,** | : | |
| | : | |
| **Defendants** | : | |

**MOTION TO DISMISS PLAINTIFF'S ADOPTION OF THE HENAULT COMPLAINT**

Now comes the Plaintiffs in the above entitled matter and respectfully request that this Honorable Court abandon the adoption of the Henault, et al v. American Foam Corp, et al., C.A. No. 03-483L Complaint, as the Plaintiffs have filed a Motion to Adopt the Albert L. Gray, Administrator, et al. vs. Jeffrey Derderian, et al., C.A. No. 04-312-L Complaint in its entirety.

As reasons therefore, after review of the matter, in order to simplify the issues, the plaintiffs have decided to adopt the Albert L. Gray, Administrator, et al. vs. Jeffrey Derderian, et al., C.A. No. 04-312-L complaint in its entirety.

Plaintiffs' in C.A. NO.: 03-335-L
By Their Attorneys,
BRIAN CUNHA & ASSOCIATES



Brian R. Cunha, Esquire (#4074)
311 Pine Street
Fall River, MA 02720
Tel: (508) 675-9500

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**CERTIFICATION OF SERVICE**

I hereby certify that on the 7th day of February 2005 a true copy of the within was served electronically pursuant to the Court's Order to the following;

| | |
|---|---|
| Andrew Trevelise | atrevelise@reedsmith.com |
| Anthony DeMarco | tdemarco@conversent.net |
| Benjamin White | bwhite@vetterandwhite.com |
| Carl Helein | chenlein@fbtlaw.com |
| Charles Redihan | credihan@KPRlaw.com |
| Christopher Fallon | cfallon@cozen.com |
| Curtis Diedrich | cdiedrich@sloanewalsh.com |
| Deborah Solmor | dsolmor@skadden.com |
| Donald Maroney | dmaroney@kkrs.com |
| Donna Lamontange | dlamontagne@zizikpowers.com |
| Edward Crane | ecrane@skadden.com |
| Edwin McPherson | emcpherson@m-klaw.com |
| Eva Marie Mancuso | emancuso@hwac.com |
| Faith LaSalle | flasalle@lasallelaw.com |
| Fred Kelly | fkelly@nixonpeabody.com |
| Gearld DeMaria | gdemaria@hcc-law.com |
| Howard Merten | hmerten@vetterandwhite.com |
| James Lee | jlee@riag.state.ri.us |
| James Murphy | jtm@hansoncurran.com |
| James Reilly | jreilly@kkrs.com |

| | |
|---|---|
| James Restivo | Jrestivo@reedsmith.com |
| Jose M. Rojas | jrosjas@goodwin.com |
| Joseph Cavanagh | jvc@blishcavlaw.com |
| Kathaleen M. Daniels | kathleen@desistolaw.com |
| Lauren DiSimone Wilkins | lwilkins@smithbrink.com |
| Marc DeSisto | marc@Desistolaw.com |
| Mark Mandell | msmandell@msn.com |
| Max Wistow | mwistow@wistbar.com |
| Michael St. Pierre | Mikesp@rrsplaw.com |
| Patrick Jones | pjones@cmj-law.com |
| Ralph J. Monaco | Rmonaco.c-l@snet.net |
| Robert Reardon/ Robert Rimmer | Reardonlaw@aol.com |
| Ronald Langlois | rlanglois@smithbrink.com |
| Scott Tucker | strcker@ths-law.com |
| Stephen Breggia | sbreggia@BBGlaw.us |
| Stephen Minicucci | sminicucci@calvinolaw.com |
| Susan Wettle | swettle@fbtlaw.com |
| Thomas Angelone | Angelonelaw@aol.com |
| W.Thomas McGough | tmcgough@reedsmith.com |

I further certify that a true copy of the within was mailed on this same day to:

Ronald J. Resmini
Ronald J. Creamer
LAW OFFICES OF RONALD J. RESMINI
1555 South Main Street, Suite 400
Providence, RI 02903

Brian R. Cunha, Esquire